

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

UNITED STATES, *et al.*,

Plaintiffs,

vs.

GOOGLE LLC,

Defendant.

No. 1:23-cv-00108-LMB-JFA

**REQUEST FOR HEARING ON
GOOGLE LLC'S EMERGENCY MOTION FOR DISCOVERY RELIEF**

Defendant Google LLC ("Google") has filed an *emergency motion* for an order requiring Plaintiffs to provide Google with 3.5 hours of deposition time and, if Plaintiffs fail to do so, excluding any use of Mr. Creput's deposition testimony during the deposition trial. Mr. Creput's deposition is scheduled for **June 11, 2025**, and the time period between now and then does not permit full briefing and oral argument even on the Court's one-week motion schedule.

Google *respectfully requests* that the Court set a date and time for (1) Plaintiffs to respond to this motion should they choose to do so (Google waives a written reply), and (2) oral argument (in person or telephonically). Google submits that requiring the response to be filed by 5:00 p.m. on Monday, June 9, 2025, and holding the hearing as soon as practicable thereafter will be both efficient and fair.

Plaintiffs had advanced notice of Google's motion for an order requiring Plaintiffs to provide Google with 3.5 hours of deposition time and, if Plaintiffs fail to do so, excluding any use of Mr. Creput's deposition testimony during the deposition trial. Google first raised concerns with Plaintiffs' proposed time limitation on Wednesday, June 3, 2025, and informed Plaintiffs on

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Thursday June 5, 2025, that it intended to seek relief from the Court if the parties could not find a resolution. Google met and conferred with Plaintiffs by videoconference on Friday, June 6, 2025, at 9:30am ET to discuss Google's motion. Plaintiffs will have had an ample opportunity to consider and prepare their response, should they choose to file one, if it is due on Monday, June 9, 2025.

A proposed order is submitted herewith.

Dated: June 6, 2025

Respectfully submitted,

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